

#5

Facsimile Transmission From:

Scott W. Hewett
400 West Third Street, No. 223
Santa Rosa, CA 95401

Tel: (707) 591-0789

Fax: (707) 591-0392

Date: October 9, 2002

TO: Examiner Quyen Leung
Art Unit 2828
United States Patent Office

Fax. No.: 1-703-308-7724

FAX COPY RECEIVED

No. of sheets including this cover sheet: 1

OCT 09 2002

Re: App. Ser. No. 10/016,174

TECHNOLOGY CENTER 2800

Comments:

Dear Examiner Leung:

In your voice mail to me on October 7, 2002, you requested that I fax you the issues I would like to discuss in the above-referenced U.S. Patent Application before scheduling a telephone interview. The issues I would like to discuss are:

1. I do not see where U.S. Pat. No. 4,165,496 discloses the monitor photo diode disposed to couple light from at least one of the fiber end (which is recited in claim 33 as being proximate to the front facet of the laser diode) or the front facet. In particular, the photo monitor diode disclosed in the '496 patent appears to be located outside the laser module (see Figs. 5 and 6 of the '496 patent), and is described as being separated from the laser diode by 80 meters of fiber (Col. 4, lines 56-59).

2. I do not see where the '496 patent discloses or suggests a photo diode disposed adjacent to the coupling region recited in claim 34 and defined in claim 33?

3. I do not see how the '496 reference discloses or suggests that the monitor photo diode is disposed to couple light from the laser diode in either the fast or slow axes, as recited in claims 35 and 36, respectively, since the '496 patent says that the photo monitor diode has 80 meters of fiber between the laser and the reflective endface where the monitor diode is located.

4. I would like to discuss the relevance of the amplified back-reflected light recited in claim 42 and propose an amendment to the claim language to clarify the invention.

Sincerely,



THIS FACSIMILE CONTAINS CONFIDENTIAL INFORMATION THAT MAY BE PRIVILEGED. UNLESS YOU ARE THE ADDRESSEE OR AUTHORIZED TO RECEIVE THIS MATERIAL, YOU MAY NOT USE, COPY, OR DISTRIBUTE IT. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE ADVISE THE SENDER IMMEDIATELY AND PROMPTLY RETURN IT BY MAIL.

No. of sheets including cover sheet: 5

RE: U.S. Patent Application No. 10/016,174
Filed: 10/30/2001

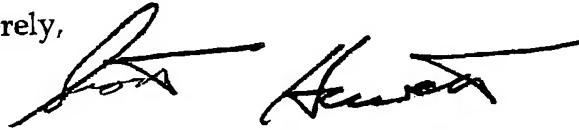
4
RECEIVED
SEP 06 2002
Technology Center 2800

Comments:

Dear Sheila:

Attached is a copy of the Application Data Sheet filed with the above-referenced patent application on October 30, 2001, a copy of the Filing Receipt mailed 03/19/2002, and a copy of the cover sheet of the Office action mailed 07/18/2002. As you can see on the Application Data Sheet, Tae J. Kim should be the first named inventor, not Edmund L. Wolak, as incorrectly stated on the cover sheet mailed 07/18/02. Similarly, Harrison Ransom is an inventor, while Robert Lang is not. Mr. Ransom is not indicated on the Filing Receipt as an applicant; however, the Filing Receipt incorrectly identifies Mr. Lang as an applicant. I greatly appreciate your assistance in resolving this matter. Please do not hesitate to call me if you have any questions.

Sincerely,



MPER 605.04(f)
petition under
rule 182

THIS FACSIMILE CONTAINS CONFIDENTIAL INFORMATION THAT MAY BE PRIVILEGED. UNLESS YOU ARE THE ADDRESSEE OR AUTHORIZED TO RECEIVE THIS MATERIAL, YOU MAY NOT USE, COPY, OR DISTRIBUTE IT. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE ADVISE THE SENDER IMMEDIATELY AND PROMPTLY RETURN IT BY MAIL.